



22763 U.S.PTO
032904

UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

MR03-0001

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, , entitled MASONRY CONSTRUCTION ELEMENT AND METHOD OF MAKING, for a(n):

Original Patent Application.

Continuing Application (prior application not abandoned):

- | | |
|---------------------------------------|---|
| <input type="checkbox"/> Continuation | <input type="checkbox"/> Continuation-in-part (CIP) |
| <input type="checkbox"/> Divisional | <input type="checkbox"/> Request for Continuing Examination |
- of prior application No: _____ Filed on: _____.
- A statement claiming priority under 35 USC § 120 has been added to the specification.

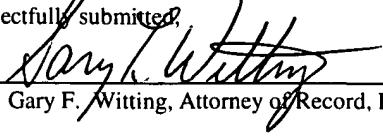
Enclosed are:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Specification; <u>21</u> Total Pages. | <input checked="" type="checkbox"/> Drawing(s); <u>3</u> Total Sheets. |
| <input type="checkbox"/> Oath or Declaration: | |
| <input type="checkbox"/> A Newly Executed Combined Declaration and Power of Attorney: | |
| <input type="checkbox"/> Signed. | <input type="checkbox"/> Unsigned. |
| <input type="checkbox"/> Partially Signed. | |
| <input type="checkbox"/> A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)). | |
| <input type="checkbox"/> Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference. | |
| <input type="checkbox"/> Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)). | |
| <input type="checkbox"/> Power of Attorney. | <input type="checkbox"/> Return Receipt Postcard. |
| <input type="checkbox"/> Associate Power of Attorney. | <input type="checkbox"/> A Check in the amount of \$ _____ for the Filing Fee. |
| <input type="checkbox"/> Preliminary Amendment. | <input type="checkbox"/> Information Disclosure Statement and Form PTO-1449. |
| <input type="checkbox"/> A Duplicate Copy of this Form for Processing Fee Against Deposit Account. | |
| <input type="checkbox"/> A Certified Copy of Priority Documents (if foreign priority is claimed). | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. | |
| <input type="checkbox"/> Other: _____ | |

| CLAIMS AS FILED | | | | |
|---|-----------|-----------|------------------|-----------|
| FOR | NO. FILED | NO. EXTRA | RATE | FEE |
| Total Claims | 28 | 8 | \$9.00 | \$ 72.00 |
| Independent Claims | 8 | 5 | \$43.00 | \$ 215.00 |
| Multiple Dependent Claims (if applicable) | | | | \$0.00 |
| Assignment Recording Fee | | | | \$0.00 |
| Basic Filing Fee | | | | \$ 385.00 |
| | | | Total Filing Fee | \$ 672.00 |

Charge \$ _____ to Deposit Account _____ pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully submitted,

By: 

Gary F. Witting, Attorney of Record, Reg. No.37065

Date:

Correspondence Address:

Gary F. P.L.L.C.
5834 East Oak Street
Scottsdale, Arizona 85257
Phone: 480 947 2345
Fax: 480 947 2345

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

By: 

Typed Name: Gary F. Witting

Express Mail Label No.: ER 786014365 US

Date of Deposit: 3/27/2004

17548 U.S.PTO
10/8/1598



**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

| | |
|------------------------|--|
| First Named Inventor | |
| Title | MASONRY CONSTRUCTION ELEMENT AND METHOD OF MAKING |
| Attorney Docket Number | MR03-0001 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

3/27/2004

Date

Signature

480 947 2345

Telephone number

Gary F. Witting

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.